

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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SHANNON BRADLEY, individually and as Personal Representative of the Estate of RICHARD WILLIAMS, deceased, SEAN WILLIAMS and PATRICK WILLIAMS,

**Plaintiffs,**

V.

UNITED STATES OF AMERICA.

**Defendant.**

Case No. 2:12-cv-01526 -APG-GWF

**ORDER REOPENING CASE AND  
RESCINDING ORDER DISMISSING  
CASE [DKT #261]**

16 On May 21, 2013, the Court entered its Order Dismissing Case Without Prejudice  
17 [Dkt. #26]. That Order was based upon Defendants' Motion to Dismiss [Dkt. #15] filed  
18 November 16, 2012. Subsequent to entry of the Order dismissing this case, Plaintiffs  
19 filed a Motion to Reopen Case [Dkt. #28]. That Motion points out that, after the Motion to  
20 Dismiss [Dkt. #15] had been fully briefed, Plaintiffs filed a companion case (2:13-cv-250)  
21 alleging the same facts set forth in the Complaint in this case, but attaching the requisite  
22 Affidavit that had been missing from the first Complaint. The second-filed case (2:12-cv-  
23 0250) was consolidated into this case on March 5, 2013, and the second-filed case was  
24 closed.

25 Plaintiffs contend that the consolidation of the second-filed Complaint into this  
26 case cures the defects in the original Complaint. Defendants' counsel concurs with

1 Plaintiffs' Motion to Reopen this case, and has no objection to the Complaint being  
2 reinstated. Accordingly,

3 **IT IS HEREBY ORDERED** that the Court's May 21, 2013 Order [Dkt. #26] and  
4 Clerk's Judgment [Dkt. #27] are rescinded and this case is reopened.

5 Dated: May 28, 2013

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE

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